

### REMARKS

Claims 1 - 11 are pending in the application. Claims 1 - 5 are rejected. Claims 6 - 11 are allowed. Claims 1 - 11 remain. Reconsideration of the pending claims is respectfully requested in view of the following remarks.

It is asserted in the Office Action that Claims 1-5 are rejected under 35 USC 103(a) as being unpatentable over Ho et al. (Pat No. 6934280), in view of Webster (Pat No. 5307351).

In response, Applicant notes, in the Action, the Examiner relies upon newly cited Webster to provide the teaching of assembling the disassembled data segments after determining that received packet data is from disassembled data segments, which limitation was added to Claim 1 in the prior response. The Examiner refers to the teaching in Webster at column 5, lines 15-67 and column 6, lines 1-15 and Figure 3. It does appear that Webster contains this teaching. However, according to Claim 1, there is a further limitation in that the disassembled data segments are assembled only “if the MTU of the external network interface is greater than the MTU of an internal data communication channel in the router.” In this connection, although the primary reference Ho et al., discloses a maximum transmission unit, such is with reference to an IP service which appears to correspond to an external network, and external network interface. However, there is no teaching or suggestion regarding an MTU of an internal data communication channel in the router. Webster although generally relating to the field of data communication systems and optimum frame length, Webster is not at all concerned with MTUs. Therefore, even though Webster apparently includes a mechanism for determining when received packet data is from disassembled data segments, the assembling of the disassembled

data segments is not based upon whether the MTU of the external network interface is greater than the MTU of an internal data communication channel in the router as required by Claim 1.

The remaining rejected claims, Claims 2-5 all depend from Claim 1, adding further limitation thereto, and, therefore, are also patentably distinguishable over the prior art for the same reasons of Claim 1.

Accordingly, although Applicant appreciates the indication of allowability of Claims 6-11, Applicant believes that all of the claims, namely Claims 1-11 are now in condition for allowance, which early action is requested.

It is noted that on October 15, 2007, another Office Action was issued for the above-identified application. However, this second Office Action indicates that it is responsive to a communication filed on July 31, 2007. However, no communication was filed by Applicant on July 31, 2007. Additionally, the Action refers to the pending claims as being Claims 2 and 6-9, and not Claims 1-11. Further, in the body of the Action, the rejection does not appear to relate in any way to the subject matter of the claims of the pending application. Accordingly, Applicant requests that this second Office Action having the same mailing date as the present Office Action be removed from the record of the subject application, and, if appropriate, reissued and directed to the appropriate application serial number.

In view of the foregoing, it is submitted that claims 1-11 are in condition for allowance, and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated:

12/13/07

By: \_\_\_\_\_

Eric S. Hyman, Reg. No. 30,139

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(310) 207-3800

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Linda Metz

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